

THE ELEMENTS OF MORAL PHILOSOPHY

Copyright © 1993, 1986 by McGraw-Hill, Inc. All rights reserved. Printed in the United States of America. Except as permitted under the United States Copyright Act of 1976, no part of this publication may be reproduced or distributed in any form or by any means, or stored in a data base or retrieval system, without the prior written permission of the publisher.

2 3 4 5 6 7 8 9 0 DOH DOH 9 0 9 8 7 6 5 4 3 2

ISBN 0-07-051098-9

This book was set in Baskerville by Arcata Graphics/Kingsport.
The editors were Cynthia Ward, Judith R. Cornwell, and Tom Holton;
the production supervisor was Friederich W. Schulte.
R. R. Donnelley & Sons Company was printer and binder.

Cover art: Alexander Rodchenko.

Non-Objective Painting: Black on Black. 1918

Oil on canvas, 32 ¼ x 31 ¼".

Collection, The Museum of Modern Art, New York, Gift of the artist,
through Jay Leyda. Photograph © The Museum of Modern Art, New York.

Library of Congress Cataloging-in-Publication Data

Rachels, James.

The elements of moral philosophy/James Rachels. — 2nd ed.

p. cm. — (The Heritage series in philosophy)

Includes bibliographical references and index.

ISBN 0-07-051098-9

1. Ethics. I. Title. II. Series.

BJ1012.R29

1993

92-12498

170—dc20

Kant and Respect for Persons

There is only one theory of punishment that is compatible with human dignity, and that is the theory of Kant.

KARL MARX, writing in the
NEW YORK DAILY TRIBUNE, February 18, 1853

10.1. The Idea of "Human Dignity"

The great German philosopher Immanuel Kant thought that human beings occupy a special place in creation. Of course he was not alone in thinking this. It is an old idea: from ancient times, humans have considered themselves to be essentially different from all other creatures—and not just different but *better*. In fact, humans have traditionally thought themselves to be quite fabulous. Kant certainly did. On his view, human beings have "an intrinsic worth, i.e., *dignity*," which makes them valuable "above all price." Other animals, by contrast, have value only insofar as they serve human purposes. In his *Lectures on Ethics* (1779), Kant said:

But so far as animals are concerned, we have no direct duties. Animals . . . are there merely as means to an end. That end is man.

We can, therefore, use animals in any way we please. We do not even have a "direct duty" to refrain from torturing them. Kant admits that it probably is wrong to torture them, but the reason is not that *they* would be hurt; the reason is only that *we* might suffer indirectly as a result of it, because "he who is cruel to animals becomes hard also in his dealings with men." Thus on Kant's view, mere animals have no moral importance at all. Human beings are, however, another story entirely. Ac-

cording to Kant, humans may never be "used" as means to an end. He even went so far as to suggest that this is the ultimate law of morality.

Like many other philosophers, Kant believed that morality can be summed up in one ultimate principle, from which all our duties and obligations are derived. He called this principle *The Categorical Imperative*. In the *Groundwork of the Metaphysics of Morals* (1785) he expressed it like this:

Act only according to that maxim by which you can at the same time will that it should become a universal law.

However, Kant also gave *another* formulation of The Categorical Imperative. Later in the same book, he said that the ultimate moral principle may be understood as saying:

Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.

Scholars have wondered ever since why Kant thought these two rules were equivalent. They *seem* to express very different moral conceptions. Are they, as he apparently believed, two versions of the same basic idea, or are they really different ideas? We will not pause over this question. Instead we will concentrate here on Kant's belief that morality requires us to treat persons "always as an end and never as a means only." What exactly does this mean, and why did he think it true?

When Kant said that the value of human beings "is above all price," he did not intend this as mere rhetoric but as an objective judgment about the place of human beings in the scheme of things. There are two important facts about people that, in his view, support this judgment.

First, because people have desires and goals, other things have value *for them*, in relation to *their* projects. Mere "things" (and this includes nonhuman animals, whom Kant considered unable to have self-conscious desires and goals) have value only as means to ends, and it is human ends that *give* them value. Thus if you want to become a better chess player, a book of chess instruction will have value for you; but apart from such ends the book has no value. Or if you want to travel

about, a car will have value for you; but apart from this desire the car will have no value.

Second, and even more important, humans have "an intrinsic worth, i.e., *dignity*," because they are *rational agents*—that is, free agents capable of making their own decisions, setting their own goals, and guiding their conduct by reason. Because the moral law is the law of reason, rational beings are the embodiment of the moral law itself. The only way that moral goodness can exist at all in the world is for rational creatures to apprehend what they should do and, acting from a sense of duty, do it. This, Kant thought, is the *only* thing that has "moral worth." Thus if there were no rational beings, the moral dimension of the world would simply disappear.

It makes no sense, therefore, to regard rational beings merely as one kind of valuable thing among others. They are the beings *for whom* mere "things" have value, and they are the beings whose conscientious actions have moral worth. So Kant concludes that their value must be absolute, and not comparable to the value of anything else.

If their value is "beyond all price," it follows that rational beings must be treated "always as an end, and never as a means only." This means, on the most superficial level, that we have a strict duty of beneficence toward other persons: we must strive to promote their welfare; we must respect their rights, avoid harming them, and generally "endeavor, so far as we can, to further the ends of others."

But Kant's idea also has a somewhat deeper implication. The beings we are talking about are *rational* beings, and "treating them as ends-in-themselves" means *respecting their rationality*. Thus we may never *manipulate* people, or *use* people, to achieve our purposes, no matter how good those purposes may be. Kant gives this example, which is similar to an example he uses to illustrate the first version of his categorical imperative: Suppose you need money, and so you want a "loan," but you know you will not be able to repay it. In desperation, you consider making a false promise (to repay) in order to trick a friend into giving you the money. May you do this? Perhaps you need the money for a good purpose—so good, in fact, that you might convince yourself the lie would be justi-

fied. Nevertheless, if you lied to your friend, you would merely be manipulating him and using him "as a means."

On the other hand, what would it be like to treat your friend "as an end"? Suppose you told the truth, that you need the money for a certain purpose but will not be able to repay it. Then your friend could make up his own mind about whether to let you have it. He could exercise his own powers of reason, consulting his own values and wishes, and make a free, autonomous choice. If he did decide to give the money for this purpose, he would be choosing to make that purpose *his own*. Thus you would not merely be using him as a means to achieving *your* goal. This is what Kant meant when he said, "Rational beings . . . must always be esteemed at the same time as ends, i.e., only as beings who must be able to contain in themselves the end of the very same action."

Now Kant's conception of human dignity is not easy to grasp; it is, in fact, probably the most difficult notion discussed in this book. We need to find a way to make the idea clearer. In order to do that, we will consider in some detail one of its most important applications—this may be better than a dry, theoretical discussion. Kant believed that if we take the idea of human dignity seriously, we will be able to understand the practice of criminal punishment in a new and revealing way. The rest of this chapter will be devoted to an examination of this example.

10.2. Retribution and Utility in the Theory of Punishment

Jeremy Bentham, the great utilitarian theorist, said that "all punishment is mischief: all punishment in itself is evil." By this he meant to point out that punishment always involves treating people badly, whether by taking away their freedom (imprisonment), their property (fines), or even their life (capital punishment). Since these things are all evils, they require justification. *Why* is it right to treat people like this?

The traditional answer is that punishment is justified as a way of "paying back" the offender for his evil deed. Those who have committed crimes, such as stealing from other people or assaulting other people, *deserve* to be treated badly in